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AF/CRW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : August et al.
FOR : **A METHOD AND APPARATUS FOR
INTERACTIVE LANGUAGE
INSTRUCTION**
SERIAL NO. : 09/392,844
FILED : September 9, 1999
EXAMINER : Lerner, Martin
ART UNIT : 2654
CONFIRMATION NO. : 1882
ATTORNEY DOCKET NO. : LUTZ 2 00030-1
Case Name/No. August 25-1-7-8-1-2-2-4

INFORMATION DISCLOSURE STATEMENT

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicant(s) submit(s) the following Disclosure Statement concerning art of which the applicant(s) is (are) aware. A copy of PTO-1449 is enclosed herewith.

This Information Disclosure Statement should not be construed to be an admission that any information referred to herein or submitted herewith is "prior art" or is considered to be material to patentability for this invention.

In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1,56(b) exists.

This statement is being submitted **AFTER FINAL ACTION**. Therefore, under §1.97(e)(1), the undersigned states:

☒ A. that the foreign language items contained in the Information Disclosure Statement were first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement*; **or**

☐ B. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement; **and**

2. ☒ the fee in the amount of \$180.00 as required by §1.17(p). Accordingly, the necessary fee accompanies this Information Disclosure Statement, as set forth below.

*Note: The three Japanese language references listed on the attached PTO 1449 were first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement. The two English language references listed on the attached PTO 1449 (items AA and AN) are believed to be English language counterparts to two of the Japanese language references (items AM and AO, respectively) and are included as an aid to the Examiner. The third Japanese language reference (item AP) is believed to relate to a language and voice generation training device, although no English counterpart is believed to be available. This document (item AP) was relied upon by the Japanese examiner as purportedly disclosing a displaying of a whole facial movement in a speech training machine (see item AQ).

Any payment due for the filing of this Information Disclosure Statement is authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed for this purpose. **If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.**

It is respectfully requested that the attached document(s) be considered and officially cited in examination of this application.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

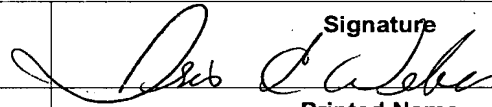
August 10, 2005
Date


Joseph D. Dreher, Reg. No. 37,123
Thomas Tillander, Reg. No. 47,334
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2579
216-861-5582

CERTIFICATE OF MAILING

I certify that this Information Disclosure Statement and accompanying document(s) are being

- ☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. 1.8, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ transmitted to facsimile number under 37 C.F.R. 1.8 on the date indicated below.
- ☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:	Signature 
Date August 10, 2005	Printed Name Iris E Weber

Form 1449/PTO

COMPLETE IF KNOWN

**INFORMATION DISCLOSURE
 STATEMENT BY APPLICANT(S)**
 (Use as many sheets as necessary)

Sheet 1 of 1

Application Number	09/392,844
Filing Date	September 9, 1999
First Named Inventor	August, et al.
Art Unit	2654
Examiner Name	Martin Lerner
Attorney Docket No.	LUTZ 2 00930-1 August 25-1-7-8-1-2-2-4

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document No. Number-Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	AA	US-5,340,316	08-23-1994	Javkin, et al.
	AB	US-		
	AC	US-		
	AD	US-		
	AE	US-		
	AF	US-		
	AG	US-		
	AH	US-		
	AI	US-		
	AJ	US-		
	AK	US-		
	AL	US-		

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document Country Code-Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T
	AM	JP H07-5807			
	AN	PCT WO 90/01203	02-08-1990		
	AO	JP H04-501617			
	AP	JP S56-153358			

OTHER -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published	T
	AQ	Japanese Examiner's Office Letter, mailed May 30, 2005 (translation), 2 pages.	
	AR		
	AS		
	AT		
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	AV		

Examiner
Signature

Date
Considered